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Security Council

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Letter dated 9 April 2002 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey the attached communication, dated 9 April 2002, from the Director General of the International Atomic Energy Agency (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Kofi A. **Annan**

* Reissued for technical reasons.

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Annex

Letter dated 9 April 2002 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

I would be grateful if you could arrange to transmit the enclosed letter to the President of the Security Council.

(*Signed*) Mohamed **ElBaradei**

Enclosure

Letter dated 9 April 2002 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council

In accordance with paragraph 16 of Security Council resolution 1051 (1996), the Director General of the International Atomic Energy Agency is requested to submit consolidated progress reports every six months to the Council, commencing 11 April 1996,[a] on the Agency verification activities in Iraq pursuant to paragraphs 12 and 13 of Council resolution 687 (1991) and other related resolutions.

As has been previously reported, the Agency has not been in a position, since 16 December 1998, to implement its mandate in Iraq under the relevant Security Council resolutions.

As it has for the last two years, the Agency carried out, in January 2002, a verification of the declared nuclear material in Iraq, pursuant to Iraq's Non-Proliferation Treaty safeguards agreement with the Agency. With the cooperation of the Iraqi authorities, Agency inspectors were able to verify the presence of the declared nuclear material remaining in Iraq that is subject to safeguards. However, such inspections do not serve as a substitute for the verification activities required by the relevant resolutions of the Security Council, nor do they provide the assurances that Iraq is in compliance with its obligations under these resolutions.

In light of resolution 1382 (2001), adopted on 29 November 2001, the Agency has established working contacts with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), the Office of the Iraq Programme and Member States in order to review the various measures to be implemented by the Agency and its counterparts in fulfilling this new mandate, requiring in particular the review and assessment of contracts for dual-use items of possible nuclear application.

As mentioned in previous reports, the Agency remains prepared to resume at short notice its verification activities in Iraq under the relevant Security Council resolutions, with the assistance and cooperation of UNMOVIC. If it were to resume these verification activities, and provided that it could satisfy itself that Iraq's nuclear activities and nuclear assets have not changed since December 1998, the Agency would be in a position to move to the full implementation of its ongoing monitoring and verification plan. This plan would also enable the Agency to investigate the few remaining questions that relate to Iraq's past clandestine nuclear programme, along with any other aspect of this programme that may come to its knowledge.

[a] The previous consolidated reports of the Director General of the International Atomic Energy Agency were circulated as the following documents: S/1996/261 of 11 April 1996; S/1996/833 of 7 October 1996; S/1997/297 of 11 April 1997; S/1997/779 of 8 October 1997; S/1998/312 of 9 April 1998; S/1998/927 of 7 October 1998; S/1999/393 of 7 April 1999; S/1999/1035 of 7 October 1999; S/2000/300 of 11 April 2000; S/2000/983 of 11 October 2000; S/2001/337 of 6 April 2001; and S/2001/945 of 5 October 2001. Document S/1999/694, dated 27 July 1998, contained the text of an interim status report provided in response to the Security Council presidential statement dated 14 May 1998 (S/PRST/1998/11). Document S/1999/127, dated 9 February 1999, contained the text of an interim status report provided in response to the note by the President of the Security Council dated 30 January 1999 (S/1999/100).

I should be grateful if you would kindly arrange for this letter to be distributed as a document of the Security Council.

(*Signed*) Mohamed **ElBaradei**